

New Kitsap prosecutor plans major changes

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LARRY STEAGALL / KITSAP SUN Tina Robinson, elected the next Kitsap County prosecutor next month, plans significant changes for the office when she takes over in 2015.

PORT ORCHARD — Although the public may not notice right away, changes are in store for the Kitsap Prosecuting Attorney's Office, including personnel changes at the top and the possibility of fewer plea bargains, which means more trials.

Republican Tina Robinson, a former public defender, will take office at the start of the year, and has named as head of the office's felony and juvenile division a deputy prosecutor who volunteered on the campaign for outgoing Prosecutor Russ Hauge, a Democrat who held the office for 20 years.

Robinson also wants to devise a plan to reduce recidivism, she said, that includes longer sentences but also adds services for jail inmates to keep them from coming back and a new approach to juvenile justice.

Along with a change in how the office approaches negotiations with defense attorneys, the office's current practice of charging felony defendants in District Court — where more minor offenses like simple assault and traffic tickets are prosecuted — will likely be changed.

The system, known as the Felony Early Plea Unit, was started by Hauge as a way to free up the Superior Court calendar and prevent long delays. Hauge maintained it was legal and allowed negotiations to take place before cases were bumped up into Superior Court. Robinson said she sees in the system a potential lawsuit against the county, with defendants claiming their Constitutional rights to a speedy trial are being violated.

She also said the system allows some cases to linger and grow stale, benefiting defendants.

"I'm thinking it's going to go away," she said. Some elements of the system may remain in place, she said, but most felonies would be charged in Superior Court.

In addition, she said offers to defendants to plead guilty lest they face longer sentences if they go to trial will be less attractive. If a defendant could face 50 years in prison, Robinson said, the offer from prosecutors won't likely be 10 years.

"Let them learn a real lesson," she said.

"It's just sending the message," she added. "Don't commit crimes in Kitsap County."

If the difference in sentences between what a defendant could face if convicted by a jury is not much different from what they are offered, Robinson said more defendants would

likely opt for trial. She also anticipates that defense attorneys would "band together" to force more trials.

The strategy, she said, is for deputy prosecutors to be ready.

"We have to be prepared to go to trial, always," she said.

If the office sends the message that prosecutors are ready and willing to try their cases without asking judges for extra time, "the defense will figure it out," she said.

As for major cases underway — seven people were charged with murder in 2014 — Robinson said she has not reviewed them in detail and has not staked out changes if any.

Similarly, Robinson said no decisions have been made about major issues from the office's civil division that drew attention during the campaign, including the sheriff deputy's guild contract disputes with the county and issues involving the Kitsap Rifle and Revolver Club.

As far as personnel changes, Robinson said she plans to keep in place the chiefs leading the office's four divisions, but will "flatten" the structure of the office, reducing the number of senior attorneys. She will also have all attorneys in the office, including herself, directly handle cases.

Robinson said she wouldn't likely take a case during her first year in office, but said she enjoys going to trial.

"I don't want to lose that," she said.

Robinson has tapped Deputy Prosecutor Chad Enright to head the office's felony and juvenile court division, considered by some to be the office's "No. 2." Longtime Deputy Prosecutor Tim Drury held that post under Hauge.

Robinson noted Enright is a Democrat, a precinct committee officer for the county party, and supported Hauge for re-election. She said she considers the job of prosecutor nonpartisan and said she respected the loyalty Enright showed Hauge.

"I know the attorney, and I know the person," Robinson said, adding that she had tried cases against Enright.

"He treated defendants with respect and also did his job and tried cases to win," she said.

Enright, 38, said he was excited for his new role.

"I think we are going to try a lot of new things," Enright said. "Some things might not work right away, but I think there is innovation and progress in the office."

Drury, 50, started with the office out of the University of Washington Law School at 25 years old, hired by former Prosecutor C. Danny Clem. He plans to open a private criminal defense law office in Port Orchard.

Drury practiced in every part of the office's criminal law division, as well as holding leadership positions. He said it was a pleasure to serve Kitsap County, and he enjoyed mentoring young attorneys in the office.

Drury said the best part of the job is getting to do what one thinks is right.

"If you think somebody is not guilty, you walk in and dismiss the case," he said. "If you think they deserve to go to prison, you go after them."

Robinson will also make Deputy Prosecutor Kevin Kelly, who had been heading the office's drug unit, chief of the District and Municipal court division. Claire Bradley, who was elected to the District Court bench, currently holds that position. Bradley will take the judge's oath Jan. 12.

"It's a place where there needs to be good mentorship and supervision," Robinson said, noting that new attorneys often start in District Court.

Hauge said he personally reviewed officer involved shootings and made the decision of whether to prosecute. In Washington state, prosecutors have the power to bring charges without a grand jury. Robinson said in cases where the use of force was obviously justified she would review the file, but in disputed cases she would consider an inquiry similar to a grand jury.

One Hauge initiative that will likely remain is the office's focus on human trafficking. Robinson said she has learned more about the issue of prostitution in Kitsap County, and concluded the office's emphasis will likely remain.

"It's a bigger problem than I ever imagined," she said, noting that defense attorneys are not privy to all that law enforcement knows.

In addition to her plan to win longer sentences, Robinson she has two other initiatives to reduce the number of repeat offenders.

She said she wants to start by revamping the county's diversion program, to make the community service that is part of young offenders' sentences more meaningful. She also wants to work with community groups on re-entry programs for inmates, and said she wants to work with jail officials to make more programs available to inmates. Programs that protect employers who hire ex convicts could also help keep those with criminal records from returning to crime, along with mentorship programs.

"It's hard to get back into the community," she said. "I want to see the Prosecutors Office as part of the solution."